

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EDDIE SOWELL SMITH,

Petitioner

v.

WARDEN CHILDERS,

Respondent.

Case No.: 2:23-cv-00527-GMN-VCF

**Order Granting Leave to File Amended
Petition**


Eddie Sowell Smith filed a third-amended *pro se* 28 U.S.C. § 2254 habeas corpus petition on November 9, 2023. (ECF No. 17.) He then filed a motion asking that that petition “be set aside,” and for a 30-day extension to file a fourth-amended petition. ECF No. 19. The Court construes this as a motion for leave to file an amended petition. Good cause appearing,

IT IS THEREFORE ORDERED that petitioner’s motion for extension/leave to file amended petition **(ECF No. 19) is GRANTED**. Petitioner has **30 days** from the date of this order to file a fourth-amended petition.

IT IS FURTHER ORDERED that all other briefing deadlines, including the deadline for respondents to file a response to the amended petition, are set forth in the order at ECF No. 10.

1 IT IS FURTHER ORDERED that respondents' motion for clarification (**ECF No.**
2 **18)** is **DENIED** as moot.

3
4 DATED: 28 November 2023.

5
6 
7 _____
8 GLORIA M. NAVARRO
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23